



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/459,380	12/13/1999	PETER ALLEN HUBOI	03384.0346-0	1069

7590

12/18/2003

Docket Clerk  
P O Drawer 800889  
Dallas, TX 75380

EXAMINER
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STORM, DONALD L

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# **Notice of Abandonment**

Application No.

09/459,380

Examiner

Donald L. Storm

Applicant(s)

HUBOI

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 19 March 2003.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; or (2) a timely filed Notice of Appeal (with appeal fee)).
  - (c) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance (PTO-85).
  - (a) ☐ The issue fee was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee set in the Notice of Allowance.
  - (b) ☐ The submitted issue fee of \$\_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_.
  - (c) ☐ The issue fee has not been received.
3. ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed new formal drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)), which expired on \_\_\_\_\_.
  - (b) ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
  - (c) ☐ No proposed new formal drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
**RICHMOND DORVIL**  
SUPERVISORY PATENT EXAMINER